

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DONALD EDWARD MORGAN AKA
EDDIE MORGAN,

Petitioner,

v.

STATE OF WASHINGTON,

Respondent.

CASE NO. C10-5318RBL/JRC

ORDER ADOPTING
REPORT AND
RECOMMENDATION

The Court having reviewed the Report and Recommendation of the Hon. J. Richard Creatura, United States Magistrate Judge, objections to the Report and Recommendation [Dkt. #28], and the remaining record, does hereby find and Order:

- (1) The Court adopts the Report and Recommendation;
- (2) The petition DISMISSED as procedurally barred.
- (3) In accordance with Rule 11 of the Rules Governing Section 2254 Cases in the United States District Courts, a certificate of appealability is DENIED with respect to all claims asserted by petitioner in his habeas petition.
- (4) The clerk is directed to send copies of this Order to Petitioner, and the Hon. J. Richard Creatura.

DATED this 22nd day of November, 2010.


RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE